



## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

(217) 782-6761

January 10, 2008

7004 2510 0001 8617 7832

Village of Lyons c/o Robert Bush  
Ancil Glink Diamond Bush Dicianni & Krafthefer, P.C.  
140 South Dearborn Street  
Chicago, IL 60606

Re: LPC# 0311715101 – Cook County  
Village of Lyons / Quarry Reclamation District TIF #4  
Site Remediation / Technical Reports

Dear Mr. Bush:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the *Comprehensive Site Investigation Report* (received December 17, 2007 / Log No 07-36131), submitted by Bradburne, Briller & Johnson, LLC for the Site Remediation Project located south of the southwest corner of Ogden & Lawndale Avenue, Lyons, Illinois. The documentation provided in this report will not be approved until a detailed response to the November 19, 2007 IEPA response letter to *Proposed Sampling Plan* (received November 9, 2007 / Log No 07-35802) has been submitted, reviewed and approved. In addition, all comments corresponding to Illinois EPA letters issued September 4, 2007, October 2, 2007, and November 19, 2007 must be addressed.

Upon review of the *Comprehensive Site Investigation Report* the following concerns must be addressed. These comments, along with all other comments in previous letters, may be addressed in a forthcoming addendum to this CSI. This addendum must incorporate all information collected during the approved soil and groundwater site investigation.

- 1) LUST Incident 931154 is discussed in Section 2.2 of the *Comprehensive Site Investigation Report*. To release this incident through the Illinois EPA- Site Remediation Program the enclosed Election to Precede Form must be submitted.
- 2) Section 2.2 of the *Comprehensive Site Investigation Report* describes the soil remediation concerning LUST incident 931154 and confirmation sampling. It states "concentrations of Benzene and several PAHs in the soil samples collected (from the sidewalls and excavation floor) exceeded IEPA TACO Tier 1 soil ROs for industrial-commercial properties. However, based upon review of the analytical data by BB&J, only concentrations of naphthalene exceeded ROs for the construction worker inhalation exposure pathway." The only naphthalene exceedance provided thus far is detected in soil boring SB-7, located in the northern portion of the remediation site. According to the sampling plan (approved November 19, 2007) soil borings have not been gathered in the area where LUST Incident 931154 is indicated. Please provide documentation showing were soil samples associated with LUST Incident 931154 (AE Report found in Appendix D) and SB-7 are in relation to each other.

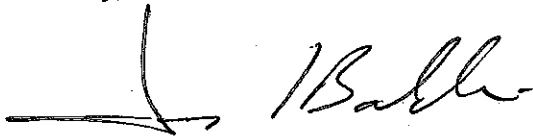
ROCKFORD – 4302 North Main Street, Rockford, IL 61103 – (815) 987-7760 • DES PLAINES – 9511 W. Harrison St., Des Plaines, IL 60016 – (847) 294-4000  
ELGIN – 595 South State, Elgin, IL 60123 – (847) 608-3131 • PEORIA – 5415 N. University St., Peoria, IL 61614 – (309) 693-5463  
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MARION – 2309 W. Main St., Suite 116, Marion, IL 62959 – (618) 993-7200

- 3) The proposed class II groundwater classification is not approved. The current proposed soil and groundwater investigation must be conducted to define a groundwater classification for this site (approved November 19, 2007).
- 4) Through out this report the remedial applicant states that the groundwater exposure route is excluded due to the fact that the Village of Lyons has a groundwater ordinance, approved February 22, 2000 with no MOU required. In accordance with Section 742.300(b) no exposure route may be excluded from consideration until characterization of the extent and concentrations of the contaminants of concern at the site has been performed. The use of the groundwater ordinance in the NFR letter is acceptable; however the NFR letter also requires that the extent of groundwater contamination (especially potential off-site migration) be addressed, along with notification to all affected properties. Therefore the request to exclude the groundwater exposure route is not approved.
- 5) Section 5.3 of Appendix K (*BB&J Phase I Environmental Site Assessment*) discusses the groundwater flow detected in the shallow groundwater zone being in three different directions [*DAI attachments to CARC* (Appendix F) – westward towards existing quarry, *BB&J Phase II ESA: Commercial Development* (Appendix H) – east to southeast, and *BB&J Phase II ESA: Community Center* - radial flow in south-central portion of subject property to the north, west, and east (Appendix J)]. The proposed groundwater investigation (approved November 19, 2007) must be used, along with all on-site active shallow monitoring wells, to define the groundwater flow and gradient on the remediation site. This data should be compared to the groundwater flow and gradient determined for the bedrock positioned below the quarry fill material.
- 6) Section 5.3.1 – Exposure Routes of the *Comprehensive Site Investigation Report* states “groundwater contamination and residual soil contamination migrating for soil to groundwater will have attenuated below the Tier 1 groundwater ROs before encountering the closest down gradient point of human exposure, the Village of Lyons municipal boundary, according to TACO R12 and R26 modeling.” This modeling must be incorporated or revised using hydrogeologic information gathered from the approved November 19, 2007. sampling plan upon submittal of the *Remediation Objectives Report*.
- 7) Section 6.0 – Conclusion of the *Comprehensive Site Investigation Report* summarizes the proposed development plan. The Illinois EPA will not comment on the proposed engineered barriers, vapor barrier membrane, and passive vent systems in the commercial building area, recreational area, or community center until a *Remediation Objectives Report* is approved and *Remedial Action Plan* is submitted for approval.
- 8) Additional soil and groundwater sampling must be conducted in the area of the former Asphalt Plant and underground diesel pipe release (LUST incident 931154), in association with the approved November 19, 2007 sampling plan. Please provide a work plan incorporating this additional sampling.

The Illinois EPA requests not less than a fourteen (14) calendar day notification of all future site investigation and remedial activities in order to coordinate Illinois EPA oversight. This notification is particularly important when groundwater or soil samples are being collected. In addition, pursuant to 35 Illinois Administrative Code ("IAC") 740.415(d)(6), all quantitative analyses of samples collected on or after January 1, 2003, and utilizing any of the approved test methods identified in 35 IAC 186.180, shall be completed by an accredited laboratory in accordance with the requirements of 35 IAC 186. Quantitative analyses not utilizing an accredited laboratory in accordance with Part 186 shall be deemed invalid.

If you have any questions I may be contacted at the address above or (217) 524-7207.

Sincerely,



James L. Baldwin, LPG  
Project Manager  
Voluntary Site Remediation Unit  
Remedial Project Management Section  
Division of Remediation Management  
Bureau of Land

JLB:jlb

cc: Kevin McCartney  
Bradburne, Briller & Johnson, LLC  
515 North State Street, Suite 2200  
Chicago, IL 60610

Kevin Close  
Municipal Consultant  
3628 Prairie Avenue  
Brookfield, IL 60513

**Illinois Environmental Protection Agency  
Leaking Underground Storage Tank Program  
Election to Proceed under the Site Remediation Program**

*(This form applies only to UST owners or operators electing to conduct remediation under SRP.)*

**A. SITE IDENTIFICATION**

IEMA Incident # (6- or 8-digit): \_\_\_\_\_ IEPA LPC# (10-digit): \_\_\_\_\_

Site Name: \_\_\_\_\_

Site Address (Not a P.O. Box): \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

**B. CERTIFICATION**

In accordance with Section 58.1(b) of the Environmental Protection Act (Act) (415 ILCS 5/58.1(b)), the following statement of election is made:

*As the Owner and/or Operator of this tank system, I am electing to proceed with remediation in accordance with Title XVII of the Act (415 ILCS 5/58 et seq.) and 35 Illinois Administrative Code (35 Ill. Adm. Code) 740. I am aware of the following:*

- *Completion of the Site Remediation Program (SRP) Application and Service Agreement Form (DRM-1) is required to enroll into the Program.*
- *I am subject to an advance partial payment for requested services in the amount of \$500. Alternatively, I may request that the Illinois Environmental Protection Agency (Illinois EPA) estimate the total costs to provide the requested services and assess an advance partial payment not to exceed \$5,000 or one-half of the total anticipated costs of the Illinois EPA, whichever is less. If the second option is selected, the Assessment of Advance Partial Payment for Anticipated Services Application (DRM-3) must be completed and attached to the application and service agreement.*
- *The advance partial payment is not refundable.*
- *I am subject to payments for costs incurred by the Illinois EPA for the performance of services under the SRP once the advance partial payment has been depleted. In addition, a No Further Remediation (NFR) letter assessment fee is required based on Illinois EPA-incurred costs up to a maximum of \$2,500.*
- *I am no longer eligible to seek reimbursement from the Underground Storage Tank Fund for costs incurred after the date the SRP Application and Service Agreement Form (DRM-1) is signed by the Remediation Applicant and accepted by the Illinois EPA.*
- *I am subject to the report requirements of 35 Ill. Adm. Code 740, which include, but are not limited to, submitting a Site Investigation Report, Remediation Objectives Report, Remedial Action Plan, and Remedial Action Completion Report.*
- *All plans and reports submitted for review and evaluation must be prepared by, or under the supervision of, an Illinois Licensed Professional Engineer, except that, for a site investigation report only, an Illinois Licensed Professional Geologist may make the certification. Any plan or report submitted to the Illinois EPA for review and evaluation must be accompanied by Form DRM-2.*

- An NFR Letter issued pursuant to Section 57.10 of the Act (Leaking UST Program) signifies that all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with; whereas, an NFR Letter issued pursuant to Section 58.10 of the Act (SRP) signifies a release from further responsibilities under the Act in performing the approved remedial action and shall be considered prima facie evidence that the site does not constitute a threat to human health and the environment. The NFR Letter issued pursuant to Section 58.10 of the Act may not address all recognized environmental conditions or contaminants of concern subject to LUST regulations. Therefore, the content of the NFR Letter issued pursuant to Section 58.10 of the Act may reflect that fact.
- I am responsible for any environmental conditions or contaminants of concern associated with a Leaking UST release not addressed in the NFR Letter issued pursuant to Section 58.10 of the Act, including, but not limited to, off-site soil and/or groundwater contamination.
- If I am also the Remediation Applicant under the SRP, I further agree that any NFR Letter issued pursuant to Section 58.10 of the Act is voidable by the Illinois EPA if I fail to address such conditions or contaminants as required by law.

### C. SIGNATURES

#### UST Owner

Company: \_\_\_\_\_  
 Contact: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_  
 ZIP: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

#### UST Operator (if different than UST Owner)

Company: \_\_\_\_\_  
 Contact: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_  
 ZIP: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

Submit this form to:

Illinois Environmental Protection Agency  
 Bureau of Land -- #24  
 Leaking Underground Storage Tank Section  
 1021 North Grand Avenue East  
 P.O. Box 19276  
 Springfield, Illinois 62794-9276